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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/591,896	09/07/2006	Recep Tarhan	3759	3414

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MICHAEL J. STRIKER
103 EAST NECK ROAD
HUNTINGTON, NY 11743

EXAMINER	
RASHID, MAHBUBUR	
ART UNIT	PAPER NUMBER
3657	

NOTIFICATION DATE	DELIVERY MODE
01/07/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

striker@strikerlaw.com

Office Action Summary	Application No.	Applicant(s)	
	10/591,896	TARHAN ET AL.	
	Examiner	Art Unit	
	MAHBUBUR RASHID	3657	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 October 2010*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 and 3-22* is/are pending in the application.

4a) Of the above claim(s) *13-21* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 3-12 and 22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *09/07/2006* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

Claims 1, 6-10 and 12 are amended.

Claim 2 is canceled.

Claims 13-21 are withdrawn.

Claim 22 is newly added.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, **the indentations and radially extending raised areas** must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an

application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claims 13-17, 19 and 20 are objected to because of the following informalities: each of the claims identifier should be “withdrawn” since they are drawn to non-elected species B. Appropriate correction is required.

Claim Rejections - 35 USC § 103

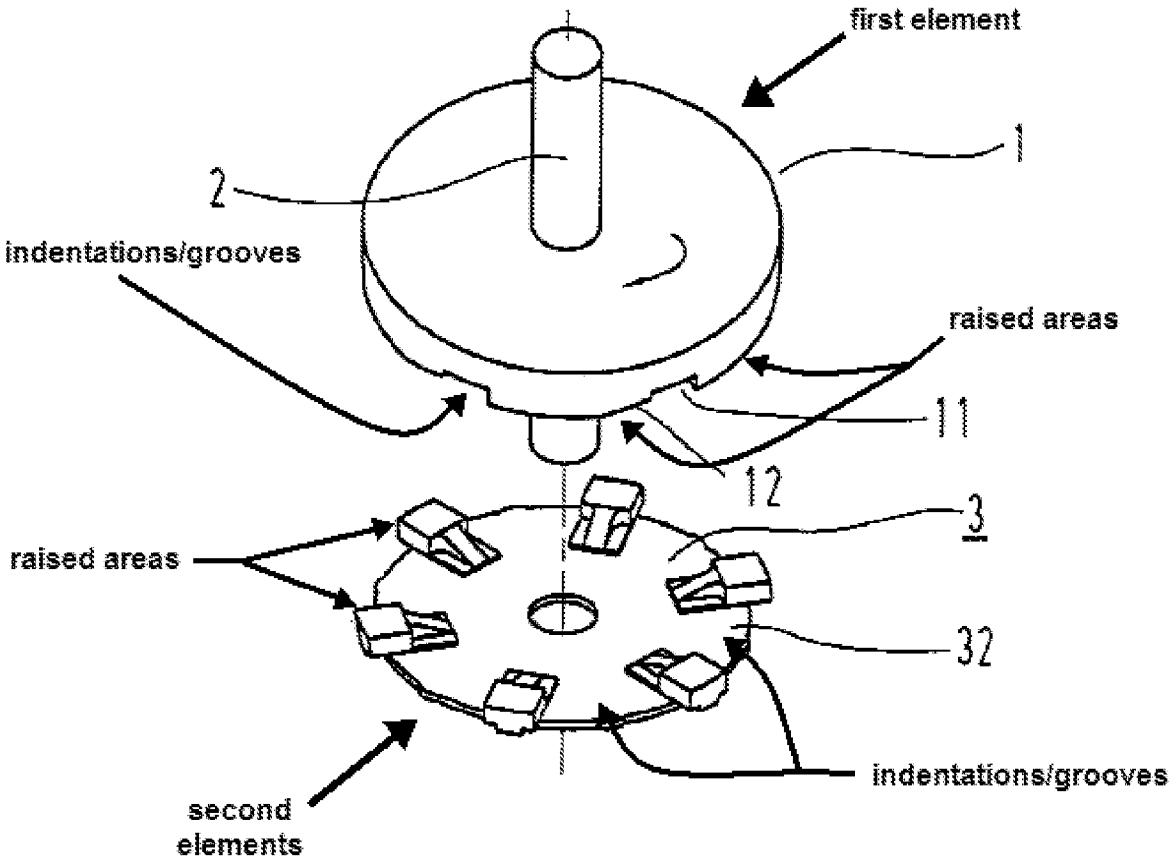
The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1, 3-12 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harting et al. (US 6,269,917 B1) in view of Pfann et al. (US 6,459,182 B1).



Regarding **claim 1**, Harting discloses a blocking device (figs. 1-3) for (intended of use) blocking a rotary motion of a shaft (2) relative to a housing of a gear-drive unit,

having a first blocking element (1) and a second blocking element (3) which latter is displaceable relative to the first blocking element by means of at least one electromagnet (figs. 1-2; (7)) and at least one restoring element (4), wherein the blocking elements each have radially extending indentations and radially extending raised areas, which mesh with one another in an axial direction in a form-locking fashion to block the rotary motion of the shaft in the blocking state (see figure above and fig. 3 of Harting).

Harting does not disclose a separate, independent structural unit that is mounted as a unit onto the housing on the one hand and onto the shaft on the other as claimed . However, Pfann discloses an electric motor with brake including a housing that holds braking or blocking portion (see fig. 3) is insertable into the motor housing (see fig. 3), wherein the device is embodied as a separate, independent structural unit that is mounted as a unit onto the housing on the one hand and onto the shaft on the other. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Harting as a separate, independent structural unit that is mounted as a unit onto the housing on the one hand and onto the shaft on the other as taught by Pfann is an engineering design choice as such modification will make the device more feasible to use in different structure housing and thus making the system more efficient.

Regarding **claim 3**, Harting discloses all claimed elements as set forth above but fails to disclose claimed housing insertable into a housing of a gear-drive unit. However, Pfann discloses an electric motor with brake including a housing that holds

braking or blocking portion (see fig. 3) is insertable into the motor housing (see fig. 3). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the housing arrangement as taught by Pfann for the system of Harting is an engineering design choice as such arrangement will allow an easy excess to the internal elements and also the housing with blocking device can easily be configured to use in the housing of different drive unit.

Regarding **claims 4 and 6-9**, the modified system of Harting fails to explicitly disclose the toothing areas, axial extensions, stop disk, and hook for clamping as claimed. However, the system of Pfann teaches toothing areas (fig. 4), axial extensions (see fig. 5) where an axial extension the top portion of the element (20) is braced against the bottom surface of the stop disk (6) that is clamped by the hook portion (29). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide such toothing areas, axial extensions, stop disk, and hook for clamping as taught by Pfann is an engineering design choice as such arrangement will provide strong connection between the blocking element, shaft and the housing and also such arrangement will allow to replace each element individually if damage without to replace the entire blocking system thus it makes the system more cost efficient.

Re-claim 5, see the electromagnet during the blocked state and the rotating state (see col. 3, lines 25-41).

Re-claim 10, see an electrical contacting means (col. 3, lines 19-24) and spring elements (4).

Re-claim 11, see a coil holder and axial guide elements (see fig. 3; (3), (7), (6)).

Re-claim 12, see the second blocking element is made at least in part of an elastomer/plastic (col. 4, lines 34-35).

Regarding **claim 22**, Harting discloses a blocking device (figs. 1-3) for (intended of use) blocking a rotary motion of a shaft (2) relative to a housing of a gear-drive unit, having a first blocking element (1) and a second blocking element (3) which latter is displaceable relative to the first blocking element by means of at least one electromagnet (figs. 1-2; (7)) and at least one restoring element (4), wherein the blocking elements each have radially extending indentations and radially extending raised areas, which mesh with one another in an axial direction in a form-locking fashion to block the rotary motion of the shaft in the blocking state (see figure above and fig. 3 of Harting).

Harting does not disclose a separate, independent structural unit that is mounted as a unit onto the housing on the one hand and onto the shaft on the other as claimed . However, Pfann discloses an electric motor with brake including a housing that holds braking or blocking portion (see fig. 3) is insertable into the motor housing (see fig. 3), wherein the device is embodied as a separate, independent structural unit that is mounted as a unit onto the housing on the one hand and onto the shaft on the other. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Harting as a separate, independent structural unit that is mounted as a unit onto the housing on the one hand and onto the shaft on the other as taught by Pfann is an engineering design choice as such modification will make the

device more feasible to use in different structure housing and thus making the system more efficient.

The modified system of Harting fails to explicitly disclose the toothing areas, axial extensions, stop disk, and hook for clamping as claimed. However, the system of Pfann teaches toothing areas (fig. 4), axial extensions (see fig. 5) where an axial extension the top portion of the element (20) is braced against the bottom surface of the stop disk (6) that is clamped by the hook portion (29). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide such toothing areas, axial extensions, stop disk, and hook for clamping as taught by Pfann is an engineering design choice as such arrangement will provide strong connection between the blocking element, shaft and the housing and also such arrangement will allow to replace each element individually if damage without to replace the entire blocking system thus it makes the system more cost efficient.

Response to Arguments

Applicant's arguments with respect to claims 1, 3-12 and 22 have been considered but are moot in view of the new ground(s) of rejection.

Regarding the drawing objection, the examiner notes that the fig. 3 does not show the blocking elements each have radially extending indentations and radially extending raised areas. According to fig. 3, the reference numbers (82, 84 and 85) are all pointing at a slanted line between the first and second blocking elements (32 and 34).

Regarding the remarks on page 13, lines 11, the examiner notes that claims 13-21 are withdrawn as being drawn to a nonelected Species B thus claims 1, 3-12 and 22 are pending for prosecution.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MAHBUBUR RASHID whose telephone number is (571)272-7218. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Siconolfi can be reached on (571) 272-7124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. R./
Examiner, Art Unit 3657

/Bradley T King/
Primary Examiner, Art Unit 3657